



DECISION ENDS IN VICTORY FOR N. P. AND G. N. RAILROADS

Do Not Violate Law by Owning Majority of Stock

IN NORTH BANK ROAD

Action Instituted by O. R. & N. The Cascade and New York Trust Companies

COUST EXPRESSES VIEWS

Draws Distinction Between the Case and One in Which Northwestern Securities Companies Were Ordered Dissolved.

OLYMPIA, Jan. 5.—That the ownership of the majority of stock of the Spokane, Portland & Seattle Railway Company by the Northern Pacific and Great Northern is not a violation of the federal anti-trust act, or antagonistic to the provisions of the state constitution forbidding combinations of transportation companies in restraint of competitive commerce is the decision of the supreme court handed down today. The action was instituted by the O. R. & N., the Cascade Railroad and the New York Trust Company, all of which own lands over which the Seattle and Portland has condemned the right of way. The supreme court draws a distinction between this case and that in which the Northern Securities Company was ordered dissolved. While the Northern Pacific and Great Northern own the competing lines in this state the new company was organized in an open unserved territory between Spokane and Portland. The court expresses the view that the creation of the new company instead of curtailing transportation facilities would increase them, and that competition between holding roads is not impaired.

OUR GREAT FORESTS.

Washington, Jan. 5.—The country's forests now cover 550,000,000 acres, or one fourth of the total area of the United States, according to data compiled by forest service agents and made public today.

Forests owned by the government cover one fourth of the total area and contain one fifth of the timber now extend over three fourths of the total forest area. Conservative lumbering is practiced on seventy percent of the forests publicly owned and on less than one percent of the forests privately owned.

WILL REBUILD STRICKEN LAND

Plans Being Discussed to Expend \$15,000,000 to Replace Messina and \$8,000,000 on Reggio

REGGIO, Jan. 5.—Earthquakes have occurred here at intervals of 20 minutes. At noon a quake stronger than the others caused a number of standing walls to collapse and created a condition of panic among the survivors. It is not thought that there are any casualties.

ROME, Jan. 5.—Plans for the rebuilding of Reggio and Messina are already being discussed in detail. It is

PORTLAND KILLING.

PORTLAND, Jan. 5.—Thomas J. McJallard, proprietor of a lodging house was shot and killed tonight by Osborne Edwards. With a companion named G. Caudill, Edwards went to the lodging house and engaged in an argument with McJallard who attempted to eject the pair. In the scuffle, Edwards is alleged to have drawn a revolver and shot McJallard through the heart.

Edwards and Caudill have been arrested. They had been drinking.

T. HAINS SHAKES UNDER EXAMINATION

DECLARES HE CANNOT RECALL DETAILS OF FORMER TESTIMONY.

DARRIN SHOWS NO MERCY

Defendant Declares he is Tired Out, But is Fixing His Recollection the Best he Can—Great Contrast Between Two Days.

FLUSHING, Jan. 5.—Under incessant fire of cross-question by district Attorney Darrin, Thornton Hains declared today he could not remember the minor details of some parts of his testimony yesterday. The contrast between the defendant when on the stand yesterday, and when he told with celerity and much detail of the important incidents and his inability to recall under cross-examination much of what he has recounted was skillfully brought out by the prosecutor. The defendant declared he was tired but was taxing his recollection the best he could.

A new light was thrown upon the relations of Mr. Annis and Claudia Hains in the trial of Thornton Hains when the defendant declared that several years ago in Marblehead, Mass., he became aware that Annis and Mrs. Hains stopped at the same hotel. When questioned by Justice Crane, Hains said he never spoke of the relations of Mrs. Hains and Annis to Captain Hains until last spring. Hains was closely questioned by the prosecutor and made many damaging admissions and fabric of the case for the defense was badly torn during today's proceedings.

CLEVELAND, Jan. 5.—Barney Reynolds, 72 years old, comedian and showman of the old school, died yesterday of heart disease. He was of the first Dutch Comedians.

AFTER BIG GAME.

Swindler Gets Money From Several Members of Congress.

CINCINNATI, O., Jan. 5.—The Federal grand jury yesterday returned an indictment against Jules M. Waterbury charging him with false pretenses in securing money from Senator Burrows of Michigan and Representative Bartholdt of Missouri as well as from Assistant Attorney General Ormsby McHarg.

Waterbury is charged with having represented himself as an employ of the Associated Press and of having secured the money by pretending that it was the desire of the Associated Press to obtain photographs of the men approached.

It was at the hearing of the grand jury that Waterbury was not employed by the Associated Press and never had been.

CHILD WIFE GETS ALL.

OAKLAND, Jan. 5.—The more wills of the eccentric millionaire Joseph Boardman were formally set aside yesterday by Judge Wate. This makes three wills that have been set aside by court decree, and as no more are known to be in existence the entire estate will go to the young widow, who was only 16 years of age when she married Boardman, and their infant child. The wills were set aside on the ground that the testator was incompetent when he made them. Mrs. Boardman testified that her husband made no less than 50 wills, most of which he tore up.

PORTLANDER KILLED.

PORTLAND, Jan. 5.—Thomas Tomlinson, aged 50, driver of an express wagon, was killed today when a wagon "skidded" on the slippery pavement throwing him under the wheels.

INVESTIGATE BOOTH CO.

CHICAGO, Jan. 5.—That the financial affairs of A. Booth & Co., the fish firm, prior to the time it went into receivers hands, will be subjected to further scrutiny, was shown yesterday when Receiver Chalmers filed a petition asking for a special examination before a master in chancery to account for \$692,374. The money the petition asserts, was paid to Charles S. Thornton and Justus Chancellor, attorneys for the company, but the books fail to show on what account the money was paid.

NEWBURN ON TRIAL.

SAN FRANCISCO, Jan. 5.—The trial of Adolph Newburn, former attorney for Ruff, charged with attempting to bribe John M. Kelly, a prospective juror, commenced today.

YAQUI INDIANS BURY THE HATCHET

SURRENDER ARMS AND AGREE TO TREATY WITH MEXICAN GOVERNMENT.

THOUSANDS ARE ARRIVING

Yaqui Chiefs Announce That They Will Hunt Down the Slaying and All Renegade Indians Who Refuse to Agree to Peace Terms.

NOGALES, Ariz., Jan. 5.—Official notice was received here today from Acting Governor Cubillas, of the State of Sonora, of a treaty between the Mexican government and the Yaqui Indians is finally ratified, thousands of Indians are coming into the capital surrendering arms, in compliance to the terms of the treaty. The Yaqui chiefs announce their determination of hunting down and slaying all renegade Indians who refuse to peacefully surrender and agree to the terms of peace.

INVESTIGATION COST \$15,000

Amount Government Spent on Brownsville Affair

DETECTIVE SERVICE

Information Received by Senate in Response to Foraker's Resolution

TAFT URGED THE ACTION

President at Taft's Request Took up Investigations Into Brownsville Affair, With Private Agencies and Contracts Are Still in Force.

WASHINGTON, Jan. 5.—It has cost the government \$15,000 already in the employment of private detective agencies to investigate the Brownsville affair and contracts with these agencies are still in force. This information was received by the Senate today from Secretary of War Wright in response to the Foraker resolution inquiring when and by what authority of law Herbert J. Brown and W. G. Baldwin were employed. It was on the report of Brown and Baldwin on which Roosevelt based his message to Congress declaring the guilt in certain of the discharged negro soldiers had been fixed.

This report was attacked by Foraker on the floor of the Senate. Attached to Wright's report were copies of various contracts entered into between responsible officials of the war department and detective agencies. Also a confidential letter from Taft, then Secretary of War, under the date of April 16, 1908, urging the President to make a contract with Brown and Baldwin. The contract was made for the purpose of determining the guilt and innocence of soldiers.

Drastic measures were considered today by the Perkins special committee of the house appointed to recommend action in defense of that body in reply to criticism made by the President in his annual message in referring to the secret service legislation. After a meeting of the committee the report spread that the committee recommend that a portion of the message referring to the secret service be expunged from the record. Another report that the recent message in reply to a request for more information on the subject would be turned to the chief executive. Neither report could be confirmed. Friends of the president will resist any drastic action that may be recommended. On the other hand Tawney, Smith, Shirley and Fitzgerald are preparing to defend themselves against references to them in the message.

Business of the Senate consumed less than an hour, nearly half of which was devoted to the consideration of the nominations in the executive session. A motion from Senator Gore to print Lincoln's inaugural address and emancipation proclamation in the congressional record in celebration of the centenary year of Lincoln's birth brought Mr. Bailey to his feet with the objection to printing the proclamation. The discussion was stopped with reference that the entire matter be taken up with the committee on printing.

Transacting business without even the semblance of a quorum in the house today passed several bills of miscellaneous character but of little general public importance.

Among the bills passed was one granting 30 days' leave of absence with pay the all Panama Canal employees injured in line of duty.

NEW YORK LETTER.

NEW YORK, Jan. 5.—That Massachusetts, Pennsylvania and New Jersey will during the new year join the young nation of George Junior Republics with full-fledged commonwealths of boys and girls was announced at the headquarters of this new national organization at 22 William Street in this city today. With hundreds of wayward youngsters struggling to reclaim themselves as "citizens" of their juvenile republics in California, Connecticut, Maryland and New York, the adult supporters of this spreading movement are providing for the annexation of these three important additions to their four original states. Before the year is over, they predict, many others in the greater union will be applying for this successful method of turning their strayed young folks into real citizens instead of confirmed criminals.

In spite of the financial trials of the past year, the leaders of the George Junior Republic movement throughout the country have today decided to discount the returning prosperity in the greater nation and go ahead with pressing plans to extend their smaller republics to other states. All New York State is thoroughly capable of sustaining its original junior republic at Freeville, they believe, and Connecticut is now rousing itself to back its similar colony at Litchfield. The Annapolis commonwealth of boys and girls is to-day being heartily supported by the people of Maryland and Washington, while all California is enthusiastic over the young republic which has been established during the past year near Los Angeles. With each of these states prepared to care for its own youthful representatives in the new nation of boys and girls, it has been thought time to admit the little commonwealths of Massachusetts, New Jersey and Pennsylvania, whose older citizens have for some time been eager to project George Junior Republic plans for their states.

The selection of a suitable site near Pittsburgh is to-day already being undertaken by L. S. Levin, Assistant City Solicitor of that city, who assured the officers of the national movement that his state will soon be the most flourishing little commonwealth in the new nation. Strong supporters of the George idea throughout Massachusetts are at present taking steps to incorporate an organization to maintain an extensive republic for the boys and girls of that state. Concerted action among the friends of the national plan in New Jersey is also promising to set up one of the strongest of these juvenile colonies in that state before the new year is over.

"These ambitious forward steps in our new National Association of Junior Republics will prove fully warranted by the hearty support

MUCH SNOW AND COLD IN NORTHWEST

PORTLAND HAS THREE INCHES OF SNOW WITH MERCURY AT 16 ABOVE.

RAILROADS NOT HAMPERED

Zero Weather Being Experienced in Many Points of Oregon, Washington, Idaho and Other Neighboring States—Cold Spell Will Continue.

PORTLAND, Jan. 5.—Reports all over the Northwest that freezing weather with snowfall in many places of three inches to a foot or more and indications for continued cold weather. So far train services has not been badly hampered. Three inches of snow fell in Portland today with the temperature 16 above zero, accompanied by high wind which send the snow whirling and eddying about in true winter fashion. There is zero weather in many points of Oregon, Washington, Idaho and Montana.

NUMEROUS STANDARD OIL CASES TO BE RESUMED

which I believe the people of other states will give to their new republics," said Thomas M. Osburne, a leader in the movement, in this city today. "I believe that the success of the junior republic idea, as we have worked it out during the last fourteen years, is no longer dependent upon Mr. George, its originator, or upon any one man. Its established principles will now live on into the far future and work the sure righting of thousands of youngsters gone wrong in every section of the great republic."

GOVERNOR MEAD DENIES THE REPORT

THAT HOWARD COSGROVE WOULD TAKE HIS PLACE AT INAUGURATION.

HE MADE NO AGREEMENT

Governor in Dispatch to Associated Press Denies That Cosgrove Would be Secretary to Acting Governor Until His Father's Return.

PORTLAND, Jan. 5.—The Associated Press last night handled under an Olympia, Wash., date, the story of alleged agreement between Governor Mead, lieutenant Governor Hay with Howard Cosgrove, son of Governor-elect Cosgrove to the effect that in the event of Governor Cosgrove being unable to reach Olympia in time for his inauguration on account of his illness and in the event that the supreme court decides that Governor Mead or Lieutenant Governor Hay is acting governor in the absence of Mr. Cosgrove, that Howard Cosgrove will be secretary to the acting governor and would practically dictate the policy of the acting governor until his father's return.

Governor Mead, in a dispatch to the Associated Press denies that any such arrangements have been entered into; that the statement is false and states that he has entered into no agreement with anyone.

CHURCHES NEGLECTFUL

Chicago Labor Council Analyzes Some Charity Questions.

CHICAGO, Jan. 5.—The corporation district council will in a few days issue a report of poverty in the city. Some of the charges to be made are that churches are neglecting the industrial masses; that the clergy are in society, politics and reform while organized charity is compelled to do the work the churches are neglecting; that charity organizations are assuming to themselves work that the law provides should be done by the proper public officials and are paying in salaries and office expenses as much as thirty five cents on every dollar collected to feed and clothe the poor.

MESSINA NOW HAS TYPHOID FEVER

Authorities Greatly Alarmed at Outbreak of Disease and are Afraid it Will Spread

ROME, Jan. 5.—Reports from Messina that typhoid fever has broken out there filled authorities with alarm. It is realized unless proper sanitary precautions are taken the disease may spread far outside the ruined district. King Victor Emmanuel today received Ambassador Griscom who presented him with the steamer Bayern in the name of the American relief committee, representing the American people. The

Justice Will at Once Proceed With Trials

MAY YET COLLECT FINE

United States Attorney Sims Says Standard is Not Yet Out of the Woods

IN JUDGE LANDIS COURT

Trial and is Thought Original Case Will be Heard by Judge Landis. Ready and Will Press For Prompt

It is Understood the Government is

WASHINGTON, Jan. 5.—The statement from good authority that notwithstanding the refusal of the United States supreme court to grant a writ of certiorari in the case of the Standard Oil yesterday, the department of justice will at once proceed with the trial of numerous other cases pending different sections either against the Standard for receiving rebates or against railroads for granting them to the Standard, involving the same questions. The effect of the refusal of the supreme court to take in review the Standard case in certiorari is to leave that case resting upon a decision of the circuit court of appeals and the natural result will be that it will go back to trial court for a new trial. It is understood the government is ready and will press for a prompt trial and it is supposed a retrial of original trial will proceed before Judge Landis.

CHICAGO, Jan. 5.—"The Standard Oil is not yet out of the woods," said United States Attorney Sims today. "The big fine case will be docketed within a few days and may be on trial in two weeks." He said if the government obtained convictions all the indictments against the Standard Oil the government may collect \$40,000,000.

glecting; that charity organizations are assuming to themselves work that the law provides should be done by the proper public officials and are paying in salaries and office expenses as much as thirty five cents on every dollar collected to feed and clothe the poor. The expenditure of money for improving social conditions that should go to feed the hungry and clothe the naked is severely criticized.